

**SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM**

SUBJECT: 2340 Celery Avenue – Dave Schmitt, applicant; Request for an amendment to an existing assisted living facility to add a detached meeting room in A-1 (Agriculture District).

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY: Kathy Fall **CONTACT:** Kathy Fall **EXT:** 7433

Agenda Date 09/27/07 **Regular** ☐ **Consent** ☐ **Public Hearing – 6:00** ☒

MOTION/RECOMMENDATION:

1. **APPROVE** the request for an amendment to an existing assisted living facility to add a detached meeting room in A-1 (Agriculture District); or
2. **DENY** the request for an amendment to an existing assisted living facility to add a detached meeting room in A-1 (Agriculture District); or
3. **CONTINUE** The request to a time and date certain.

GENERAL INFORMATION	Dave Schmitt Engineering 2340 Celery Avenue Sanford, FL 32771	A-1 District, LDC section 124 (conditional uses); private & public schools
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • The applicant proposes to expand an existing assisted living facility in the A-1 district by adding a detached meeting room. • The proposed meeting room will be consist of 300 square feet and will include a 10 foot by 10 foot area for a food storage bank. • The proposed meeting room will be located on top of an existing tennis court and will not have any bathrooms. • The existing assisted living facility has been approved for up to 12 residents. 	
STANDARDS FOR GRANTING A SPECIAL EXCEPTION; LDC SECTION 30.43(b)(2)	The Board of Adjustment (BOA) shall have the power to hear and decide special exceptions it is specifically authorized to pass under the terms of the land development code upon determination the use requested:	

IS NOT DETRIMENTAL TO THE CHARACTER OF THE AREA OR NEIGHBORHOOD OR INCONSISTENT WITH TRENDS OF DEVELOPMENT IN THE AREA:

The proposed use would represent an expansion of existing assisted living facility but would not increase the number of residents. It would therefore be consistent with the character of the area, as the previously enumerated conditions imposed on the overall development would continue to apply.

DOES NOT HAVE AN UNDULY ADVERSE EFFECT ON EXISTING TRAFFIC PATTERNS, MOVEMENTS AND VOLUMES:

There will not be an increase in traffic volumes due to the meeting room for the existing staff or visitors.

IS CONSISTENT WITH THE SEMINOLE COUNTY VISION 2020 COMPREHENSIVE PLAN:

The Seminole County Vision 2020 Comprehensive Plan describes LDR (low density residential) future land use as mostly appropriate for detached single-family development. Certain other uses, including assisted living facilities of the type proposed, are allowed by special exception. With the imposition of reasonable conditions, many of which already apply to the existing assisted living facility, the proposed use would be compatible with the LDR FLU designation.

MEETS ANY ADDITIONAL REQUIREMENTS SPECIFIED IN THE CODE SECTION AUTHORIZING THE USE IN A PARTICULAR ZONING DISTRICT OR CLASSIFICATION:

Based on the submitted site plan, the proposed uses meet the minimum setbacks, area and dimensional requirements of the A-1 district.

WILL NOT ADVERSELY AFFECT THE PUBLIC INTEREST:

Within the A-1 district, assisted living facilities are allowed as conditional uses. The prior establishment of the assisted living facility, of which the proposed use would constitute a part, demonstrates consistency with the trend of nearby and adjacent development in the area.

STAFF RECOMMENDATION	<p>Staff recommends approval subject to the proposed site plan's compliance with Chapter 40 of the Land Development Code and the imposition of the previous conditions of approval:</p> <ol style="list-style-type: none">1. The proposed meeting room will not exceed 300 square feet.2. The proposed meeting room should only be used by the existing staff, residents and visitors of the guest.3. The proposed meeting room shall not be altered to allow another use such as living quarters.4. Prior to the issuance of development permits, a site plan that meets the requirements of Chapter 40 of the Land Development Code shall be reviewed and approved by the Development Review Committee (DRC).
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Fee: \$370.00

Application # BS2007-14
Meeting Date 9-24-07



SPECIAL EXCEPTION APPLICATION
SEMINOLE COUNTY PLANNING DIVISION
1101 East First Street Sanford FL 32771 (407) 665-7444

PROPERTY OWNER / APPLICANT *(If you are not the owner please provide a letter of authorization from the owner)*

Name: Dave Schmitt Engineering, Inc.

Address: 13013 Founders Square Drive

City: Orlando

Zip code: 32828

Project Address: 2340 Celery Avenue

City: Sanford

Zip code: 32771

Phone number(s): 407-207-9088 - Dave Schmitt

Email address: Dave.Schmitt@dseorl.com

What is this request for?

- ☐ Church
☐ Daycare
☐ School
☐ Group Home
☒ Assisted Living Facility (ALF)
☐ Kennel
☐ Riding Stable
☐ Alcoholic Beverage Establishment
☐ Communication Tower
☐ Other: _____

RECEIVED JUL 31 2007

Is the property available for inspection without an appointment? ☒ Yes ☐ No

What is the current use of the property? Assisted Living Facility

NO APPLICATION WILL BE ACCEPTED AND/OR SCHEDULED unless the required **pre-application conference** has been held and all of the required information in the Special Exception application and submittal checklist is provided to the Planning Division.

Signed: _____

Pre-Application Meeting Held January 24, 2007

FOR OFFICE USE ONLY

Date Submitted: 7-31-07

Reviewed By: P. Johnson

Tax parcel number: 29-19-31-300-0120-0000 Zoning/FLU A-1/SE

☐ Legally created parcel (1971 tax roll, 5-acre dev, lot split) ☐ Platted Lot (check easements on lots / in dedication)

☐ Lot size _____ ☐ Meets minimum size and width

☐ Past approval # _____ ☐ Application and checklist complete

Notes: _____

July 19, 2007

Revised

September 4, 2007

Explanation of Property and Proposed Use

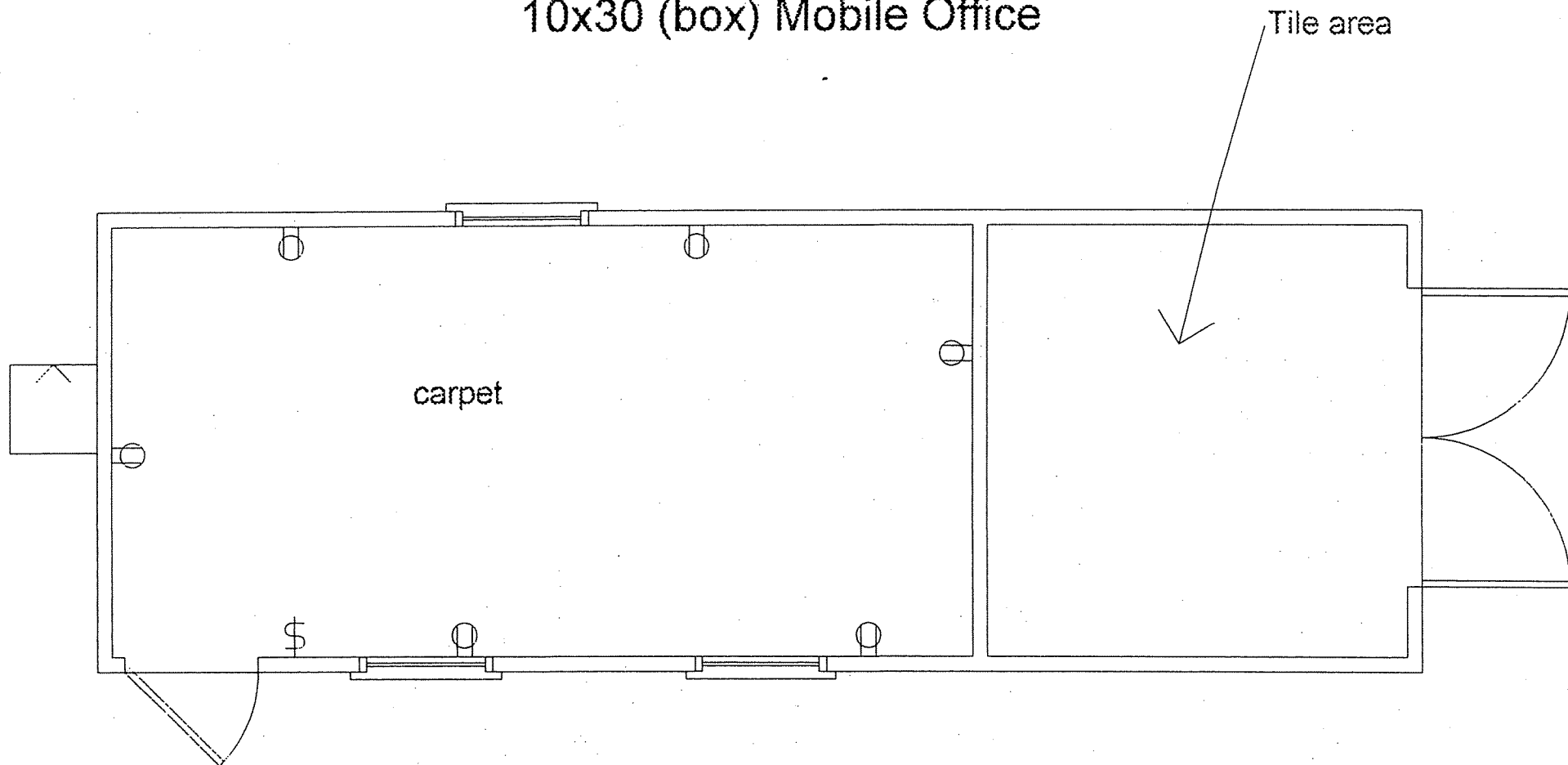
This property is currently the site for an assisted living facility. The owners of the site would like to add a 10ft x 30ft detached meeting room onto the top of an existing tennis course. This meeting room will have an A/C unit and carpeting and will not require a restroom facility as they are already located in the pre-existing building. As discussed in the DRC meeting on August 29, 2007, this detailed meeting room is going to be used for meeting space for residents and staff. The front 10 feet of the facility will be used for food bank storage and the rear 20 feet will be utilized for the meeting space.

All fire requirements have been met and a local fire hydrant is within the 500 foot requirement (actually 240 ft).

The meeting facility also has an alarm, as required.

A stabilized access drive has also been provided along with necessary drainage to accommodate in the existing swale abutting the drive.

10x30 (box) Mobile Office

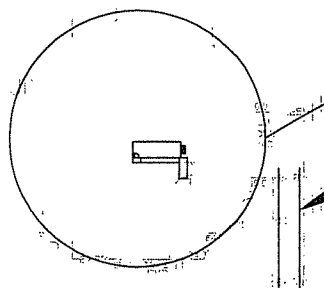




PROPOSED
DETACHED
MEETING ROOM

PROPOSED
AIRS

PROPOSED
5' SIDEWALK



NOTE:
EXIST. SEPTIC SYSTEM CONSISTS OF:
1-1000 GAL. CONCRETE TANK
1-800 GALLON CONCRETE TANK
1-100 GALLON DOUBLE TANK
600 SQ. FT. PRAIRY DRAINFIELD

SITE PLAN

1"=120'



DAVE SCHMITT
ENGINEERING, INC.
13013 FOUNDERS SQUARE DR.
ORLANDO, FL 32828
407-207-9088
FAX 407-207-9089

CONTRACTOR "AS-BUILTS"

I hereby state that these "As-Builts" were furnished
supervision have reviewed these "As-Builts" and
constructed. This statement is based upon site of

Contractor:
Not valid without the signature and the original map

SITE PLAN

FAMILY OF FRIENDS

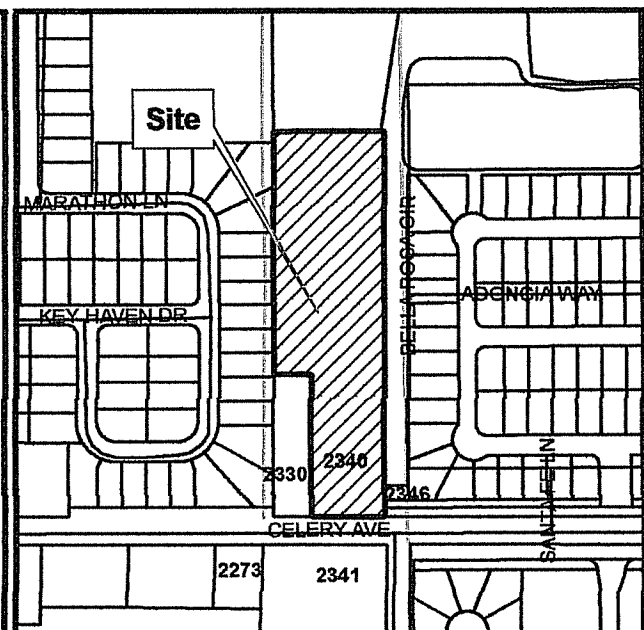
SEMINOLE COUNTY, FLORIDA

DATE: JULY 2007
PROJECT NO.: FF-1
DRAWN BY: GG
CHECKED BY: TM
SCALE: AS NOTED
SHEET: 1 OF 1

Emergency Access along East side



The map shows the proposed site location in the City of Celery. The site is located on the east side of Marathon Ln, south of Cabana View Way and north of Key Haven Dr. The site is shaded with diagonal lines and labeled '2.1'. Surrounding streets include Cabana View Way, Conch Key Way, Islamorada Way, Marathon Ln, Key Haven Dr, Bellarosa Cir, Adongia Way, Celery Ave, Wheatfield Cir, and Pinefield Dr. The map also shows the locations of the City and PUD (Public Utility District) areas.



PARCEL DETAIL DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL. 1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7506																																																							
GENERAL Parcel Id: 29-19-31-300-0120-0000 Owner: FAMILY OF FRIENDS INC THE Mailing Address: 2340 CELERY AVE City,State,ZipCode: SANFORD FL 32771 Property Address: 2340 CELERY AVE SANFORD 32771 Facility Name: FAMILY OF FRIENDS Tax District: 01-COUNTY-TX DIST 1 Exemptions: 34-CHARITABLE/CIVIC () Dor: 7401-SFR GROUP HOMES		2007 WORKING VALUE SUMMARY Value Method: Market Number of Buildings: 1 Depreciated Bldg Value: \$148,380 Depreciated EXFT Value: \$16,801 Land Value (Market): \$194,800 Land Value Ag: \$0 Just/Market Value: \$359,981 Assessed Value (SOH): \$359,981 Exempt Value: \$359,981 Taxable Value: \$0 Tax Estimator																																																					
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NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes. *** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.																																																							

SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER

On September 24, 2007, Seminole County issued this Development Order relating to and touching and concerning the following described property:

(Legal Description)

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

FINDINGS OF FACT

Property Owner: Family of Friends
2340 Celery Avenue
Sanford, FL. 32771

Project Name: 2340 Celery Avenue

Requested Development Approval:

Request for an amendment to an existing special exception for an assisted living facility to add a detached meeting room in A-1 (Agriculture District)

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Kathy Fall, Principal Planner
1101 East First Street
Sanford, Florida 32771

Order**NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

(1) The aforementioned application for development approval is **GRANTED**.

(2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.

(3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:

1. The proposed meeting room will not exceed 300 square feet.
2. The proposed meeting room should only be used by the existing staff, residents and visitors of the guest.
3. The proposed meeting room shall not be altered to allow another use such as living quarters.
4. Prior to the issuance of development permits, a site plan that meets the requirements of Chapter 40 of the Land Development Code shall be reviewed and approved by the Development Review Committee (DRC).

(4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.

(5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: _____
Dori L. DeBord
Planning & Development Director

**STATE OF FLORIDA)
COUNTY OF SEMINOLE)**

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared _____ who is personally known to me or who has produced _____ as identification and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this _____ day of _____, 2007.

Notary Public, in and for the County and State
Aforementioned

My Commission Expires: